

House File 604

S-3185

1 Amend House File 604, as amended, passed, and reprinted by
2 the House, as follows:

3 1. By striking everything after the enacting clause and
4 inserting:

5 <Section 1. Section 2C.9, Code 2023, is amended by adding
6 the following new subsection:

7 NEW SUBSECTION. 2A. Investigate, on complaint, any
8 complaint received by an individual who holds a license,
9 certificate, authorization, or statement of recognition issued
10 by the board of educational examiners related to violence in
11 the classroom or violence on school property, including any
12 disclosure of information to which section 279.78 applies
13 related to violence in the classroom or violence on school
14 property. The ombudsman shall provide the results of the
15 investigation to the department of education and the board of
16 educational examiners. The ombudsman shall maintain secrecy in
17 respect to the identities of the complainants.

18 Sec. 2. Section 256.9, Code 2023, is amended by adding the
19 following new subsections:

20 NEW SUBSECTION. 66. Develop and distribute to school
21 districts a list of all professional development programs and
22 other training programs in which employees of school districts
23 are required to participate pursuant to federal law or state
24 law, including chapter 284.

25 NEW SUBSECTION. 67. Develop and distribute to school
26 districts and charter schools model policies that, if adopted
27 by a school district or charter school, would satisfy the
28 school district's or charter school's responsibilities under
29 section 279.79 relating to the discipline of a student for
30 making a threat of violence or causing an incident of violence
31 that results in injury or property damage or assault.

32 Sec. 3. Section 256E.7, subsection 2, Code 2023, is amended
33 by adding the following new paragraphs:

34 NEW PARAGRAPH. *Oj.* Be subject to and comply with the
35 requirements of section 279.78 relating to prohibiting

1 retaliation against employees or contractors for disclosing
2 certain specified information in the same manner as a school
3 district.

4 NEW PARAGRAPH. *00j.* Be subject to and comply with the
5 requirements of section 279.79 relating to the adoption of
6 policies related to the discipline of a student for making a
7 threat of violence or causing an incident of violence that
8 results in injury or property damage or assault in the same
9 manner as a school district.

10 NEW PARAGRAPH. *000j.* Be subject to and comply with the
11 requirements of section 279.80 relating to student handbooks in
12 the same manner as a school district.

13 Sec. 4. Section 279.51A, subsection 4, Code 2023, is amended
14 to read as follows:

15 4. *a.* A classroom teacher employed by a school district
16 shall report any threat of violence or incident of violence
17 that results in injury or property damage or assault by a
18 student enrolled in the school to the principal or the lead
19 administrator of the school within twenty-four hours after the
20 threat of violence or incident of violence occurs, and the
21 classroom teacher may notify the parent or guardian of the
22 student who made the threat of violence or caused the incident
23 of violence, and the parent or guardian of the student to whom
24 the threat of violence was made or the incident of violence
25 occurred, of the threat of violence or incident of violence.

26 *b.* The principal or lead administrator of the school shall
27 notify the parent or guardian of the student enrolled in the
28 school who made the threat of violence or caused the incident
29 of violence that resulted in injury or property damage or
30 assault, and the parent or guardian of the student to whom
31 the threat of violence was made or the incident of violence
32 occurred, of the threat of violence or incident of violence
33 within twenty-four hours after the classroom teacher reports
34 the threat of violence or incident of violence to the principal
35 or lead administrator pursuant to paragraph "a".

1 **Sec. 5. NEW SECTION. 279.77 Professional development —**
2 **notification.**

3 If a school district requires an employee to participate
4 in a particular professional development program, including
5 a program that is included on the list developed by the
6 department of education pursuant to section 256.9, subsection
7 66, the school district shall provide notice to the employee
8 indicating the section of the Code, or rules adopted by the
9 state board of education or the board of educational examiners,
10 the school district determines requires the employee to
11 participate in the professional development program.

12 **Sec. 6. NEW SECTION. 279.78 Retaliation prohibition.**

13 The board of directors of a school district shall not take
14 any disciplinary action against an employee or contractor of
15 the school district for disclosing information to any public
16 official or law enforcement agency, including a disclosure
17 to the ombudsman pursuant to section 2C.9, subsection 2A, if
18 the employee or contractor reasonably believes the information
19 evidences a violation of law or rule, mismanagement, a gross
20 abuse of funds, an abuse of authority, or a substantial and
21 specific danger to public health or safety. For purposes of
22 this section, "*disciplinary action*" includes termination of
23 employment or the contractual relationship, suspension from
24 employment, demotion, financial penalties, failing to take
25 action regarding an employee's or contractor's promotion
26 or proposed promotion, failing to provide an advantage in
27 employment or the contractual relationship, and written or
28 verbal reprimands.

29 **Sec. 7. NEW SECTION. 279.79 Discipline of students who make**
30 **threats of violence or cause incidents of violence.**

31 The board of directors of each school district shall adopt,
32 in collaboration with teachers and administrative staff
33 employed by the school district, policies for different grade
34 levels that describe how a school district may discipline a
35 student for making a threat of violence or causing an incident

1 of violence that results in injury or property damage or
2 assault. All of the following shall apply to the policies:

3 1. The policies must incorporate strategies that are
4 designed to correct the student's behavior.

5 2. The policies must provide for parental conferences and
6 mental health counseling sessions, when appropriate. The
7 policies must provide that the school district must receive
8 the prior written consent of the student's parent or guardian
9 before requiring the student to participate in a mental health
10 counseling session.

11 3. The policies must be consistent with the provisions of
12 chapter 256B, the administrative rules adopted by the state
13 board for purposes of chapter 256B, the federal Individuals
14 with Disabilities Education Act, 20 U.S.C. §1400 et seq., and
15 the federal Rehabilitation Act of 1973, as amended and codified
16 in 29 U.S.C. §701 et seq.

17 4. The policies must provide for escalating levels of
18 discipline each time the student makes a threat of violence
19 or causes an incident of violence that results in injury or
20 property damage or assault.

21 5. The policies must allow for the school district to select
22 the level of discipline that the school district determines
23 corresponds to the severity of the threat of violence or
24 incident of violence.

25 6. The policies must allow the school district to
26 suspend the student, permanently remove the student from a
27 particular class, expel the student, or place the student in
28 an alternative learning environment, including a therapeutic
29 classroom, when appropriate.

30 7. The policies must require an individualized education
31 program meeting if the student who made the threat of violence
32 or caused the incident of violence that resulted in injury or
33 property damage or assault has an individualized education
34 program.

35 8. The policies must be published on the school district's

1 internet site and in applicable student handbooks.

2 Sec. 8. NEW SECTION. 279.80 Student handbooks.

3 1. Annually, on or before the beginning of the school
4 calendar, the board of directors of each school district shall
5 publish one or more student handbooks and provide to the parent
6 or guardian of each student enrolled in the school district a
7 printed or electronic copy of a student handbook that includes
8 basic information related to the expectations of students in
9 the grade level or attendance center to which the student
10 handbook applies, including information related to academics,
11 attendance, discipline, health and safety, and daily schedules.

12 2. The board of directors of each school district shall
13 require that the parent or guardian of each student enrolled
14 in the school district acknowledge receipt of the applicable
15 student handbook, either in writing or electronically.

16 Sec. 9. Section 280.21, Code 2023, is amended by adding the
17 following new subsection:

18 NEW SUBSECTION. 5. A public school district or area
19 education agency shall provide to all teachers employed by the
20 public school district or area education agency a copy of this
21 section with the initial employment contract and with each
22 notice of renewal of the employment contract.>

23 2. Title page, by striking lines 5 through 8 and inserting
24 <and modifying the responsibilities of the department of
25 education, school districts, and charter schools.>

LYNN EVANS